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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,855	08/27/2001	Sunil H. Contractor	BELL-0110/01065	3230
38952	7590	03/30/2004	EXAMINER	
WOODCOCK WASHBURN LLP ONE LIBERTY PLACE - 46TH FLOOR PHILADELPHIA, PA 19103			MILLER, BRANDON J	
			ART UNIT	PAPER NUMBER
			2683	5

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/939,855

Applicant(s)

CONTRACTOR, SUNIL H.

Examiner

Brandon J Miller

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-14, 16-30, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Sollee.

Regarding claim 1 Syed teaches a method of forwarding a telephone call (see col. 2, lines 37-42). Syed teaches receiving a telephone call from a calling party line to a called party line (see col. 3, lines 22-26 and col. 4, lines 20-21). Syed teaches determining the location of the called party (see col. 6, lines 17-20). Syed teaches determining the proximity of a location of the called party to a registered subscriber location (see col. 6, lines 21-24). Syed teaches directing a telephone call to the location of the registered forwarding number based on the determined proximity (see col. 6, lines 25-27). Syed does not specifically teach one or more subscriber locations. Sollee teaches determining the proximity of a location of the called party to one or more subscriber locations (see col. 3, lines 53-55 and col. 4, lines 26-28 & 33-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include one or more subscriber locations because this would allow for an improved location based call forwarding service that works transparently to the subscriber.

Regarding claim 2 Syed teaches a predefined subscriber location predefined (see col. 3, lines 40-43).

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Regarding claim 4 Sollee teaches using a radio frequency signal (see col. 2, lines 53-55).

Regarding claim 5 Syed teaches subscriber locations that is identified by a directory number (see col. 3, lines 40-43).

Regarding claim 6 Syed teaches forwarding a call to a wireless communication device based on a determined proximity (see col. 6, lines 21-27).

Regarding claim 7 Sollee teaches forwarding a telephone call to a voice message system based on a determined proximity (see col. 3, lines 43-47).

Regarding claim 8 Sollee teaches forwarding a telephone call to another user based on a location of the other user (see col. 3, lines 43-50).

Regarding claim 9 Syed teaches a proximity that is determined by at least one of a service node, a customer premise equipment unit, a service control point, and a location detection device (see col. 5, lines 7-11).

Regarding claim 10 Syed teaches a subscriber location that includes at least one of a wire line telephone, a public pay telephone, a wireless communication device (see col. 3, lines 43-50).

Regarding claim 11 Syed teaches one or more persons that are subscribed to a called party line (see col. 3, lines 21-28).

Regarding claim 12 Syed teaches a method of directing a communication (see col. 2, lines 37-42). Syed teaches receiving a communication directed to a party (see col. 3, lines 22-26 and col. 4, lines 20-21). Syed teaches determining a location of the party (see col. 6, lines 17-20). Syed teaches comparing the location of the party to a predetermined location (see col. 2, lines 62-64 and col. 6, lines 21-24). Syed teaches directing a communication based on the comparison (see col. 6, lines 25-27). Syed does not specifically teach one or more predetermined

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designators. Sollee teaches comparing the location of the called party to one or more predetermined designators (see col. 3, lines 53-55 and col. 4, lines 26-28 & 33-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include one or more predetermined designators because this would allow for an improved location based call forwarding service that works transparently to the subscriber.

Regarding claim 13 Syed teaches communication that is voice-based (see col. 3, lines 45-46).

Regarding claim 14 Sollee teaches communication that is text-based (see col. 3, lines 3-6).

Regarding claim 16 Syed and Sollee teach a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 17 Syed and Sollee teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 18 Syed teaches a directory number associated with a wired telephone subscriber location (see col. 3, lines 43-49).

Regarding claim 19 Syed teaches a directory number associated with a wireless communication device (see col. 3, lines 43-50).

Regarding claim 20 Sollee teaches one or more predetermined designators (see col. 3, lines 53-55 & 64-65).

Regarding claim 21 Syed and Sollee teach a device as recited in claim 7 and is rejected given the same reasoning as above.

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Regarding claim 22 Sollee teaches a proximity that is determined by at least one of a service node, a customer premise equipment unit, and a service control point (see col. 4, lines 31-36).

Regarding claim 23 Syed teaches a method of providing for the forwarding of a communication (see col. 2, lines 37-42). Syed teaches receiving a signal identifying a location of a subscriber (see col. 4, lines 28-36 and col. 6, lines 17-20). Syed teaches receiving a list from a subscriber identifying one or more registered subscriber locations (see col. 3, lines 40-43). Syed teaches storing a record of the one or more registered subscriber locations (see col. 3, lines 40-43). Syed does not specifically teach a first and a second designator. Sollee teaches one or more designators identifying a subscriber location (see col. 3, lines 53-55 & 64-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a first and a second designator because this would allow for an improved location based call forwarding service that works transparently to the subscriber.

Regarding claim 24 Syed and Sollee teach a device as recited in claim 23 except for comparing the location of the subscriber with a location of a first designator and with a location of a second designator. Syed does teach comparing the location of the subscriber to a predetermined location (see col. 2, lines 62-64 and col. 6, lines 21-24). Syed does teach a list identifying one or more predetermined locations (see col. 3, lines 40-43). Sollee does teach one or more designators identifying a location (see col. 3, lines 53-55 & 64-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include comparing the location of the subscriber with a location of a first designator and

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with a location of a second designator because this would allow for an improved location based call forwarding service that works transparently to the subscriber.

Regarding claim 25 Syed teaches forwarding a communication directed to a first registered number to a second number as a function of a comparison (see col. 3, lines 40-50 and col. 6, lines 25-27).

Regarding claim 26 Syed teaches forwarding a communication directed to a first registered number to a first registered number as a function of a comparison (see col. 3, lines 40-43 and col. 6, lines 25-27).

Regarding claim 27 Syed teaches a system for redirecting a communication (see col. 2, lines 37-42). Syed teaches transmitting a location of a user (see col. 4, lines 28-36 and col. 6, lines 17-20). Syed teaches comparing a location of the party to a predetermined location (see col. 2, lines 62-64 and col. 6, lines 21-24). Syed teaches directing communication as a function of the comparison (see col. 6, lines 25-27). Syed does not specifically teach a transponder, a service control point, or one or more predetermined designators. Sollee teaches a radio link for communication during a mobile station location process (see col. 2, lines 53-56). Sollee teaches a service control point (see col. 3, lines 61-62) and comparing the location of the called party to one or more predetermined designators (see col. 3, lines 53-55 and col. 4, lines 26-28 & 33-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include one or more predetermined designators because this would allow for an improved location based call forwarding service that works transparently to the subscriber.

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Regarding claim 28 Sollee teaches one or more subscriber telephones in communication with a service switching point, wherein the service switching point is in communication with a service transfer point (see col. 3, lines 50-53 & 60-62).

Regarding claim 29 Syed teaches communicating location of a user to subscriber telephones (see col. 4, lines 33-36 & 39-42).

Regarding claim 30 Sollee teaches communicating location of a user to a service control point (see col. 4, lines 33-36).

Regarding claim 32 Syed, and Sollee teach a device as recited in claim 4 and is rejected given the same reasoning as above.

Regarding claim 33 Syed, and Sollee teach a device as recited in claim 5 and is rejected given the same reasoning as above.

Regarding claim 34 Sollee teaches a service node in communication with a service control point (see col. 3, lines 60-62).

Claims 3, 15, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syed in view of Sollee, and Akhteruzzaman.

Regarding claim 3 Syed and Sollee teaches a device as recited in claim 1 except for the location of the called party that is determined using a global position system. Akhteruzzaman teaches using a global position system to determine the location of a subscriber (see abstract and col. 4, lines 28-31). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include location of the called party that is determined using a global position system because this would allow for a more efficient determination of present geographical location in terms of latitude and longitude coordinates.



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Regarding claim 15 Syed, Sollee, and Akhteruzzaman teach a device as recited in claim 3 and is rejected given the same reasoning as above.

Regarding claim 31 Syed, Sollee, and Akhteruzzaman teach a device as recited in claim 3 and is rejected given the same reasoning as above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Whittington U.S Patent No. 6,131,028 discloses a method of providing services specified by feature codes based upon location of a wireless telephone unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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March 23, 2004



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